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Robert R. O'Brien

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EXAMINER

DAILEY, THOMAS J

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/679,819	<b>Applicant(s)</b> O'BRIEN ET AL.	
	<b>Examiner</b> Thomas J. Dailey	<b>Art Unit</b> 2452	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 8, 2009 has been entered.
2. Claims 26-37 were added by the amendment filed on January 8, 2009.
3. Claims 1-21 are cancelled as of the amendment filed January 8, 2009.
4. Claims 22-37 are pending.

### ***Response to Arguments***

5. Applicant's arguments filed in regards to the prior art rejections of the claims have been fully considered but they are not persuasive.
6. The applicant argues with respect to independent claims 22 and 26 that Porter fails to disclose a personal unique identifier (PUID) is generated on the notification server to map the stored mailbox identifiers for each of the plurality of mailboxes with the subscriber profile information.
7. The examiner disagrees. Porter discloses storing on a notification server, mailbox registration information and subscriber profile information (column 5,

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lines 33-38; a user registers a mailbox with associated information (mailbox registration information) and each user has a user profile with additional information (subscriber profile information)), wherein the mailbox registration information includes a mailbox identifier for each of a plurality of mailboxes (column 5, lines 42-44, each mailbox has a unique identifier (mailbox identifier)) , *wherein a personal unique identifier (PUID) is generated on the notification server to map a stored mailbox identifier for each of the plurality of mailboxes with subscriber profile information* (column 5, lines 35-44, information in the user profile that uniquely identifies one user profile from another is essential, i.e. the extension number of that user or their password). Further as in column 5, lines 54-56 an email address may be a PUID, as it will be present in the user profile (subscriber profile information), will uniquely identify a user, and is mapped to a mailbox identifier).

8. The applicant further argues with respect to independent claims 22 and 26 that Porter fails to disclose matching on the notification server the received mailbox identifier to one the stored mailbox identifiers of the mailbox registration information to identify the generated PUID that maps the stored mailbox identifiers for each of the plurality of mailboxes with subscriber profile information.

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9. The examiner disagrees. Porter discloses matching on the notification server a received mailbox identifier to one the stored mailbox identifiers of the mailbox registration information (column 5, lines 33-44, an incoming voice mail message inherently has a received mail box identifier that matches a mailbox identifier(i.e. that is how it is known what mailbox to store it in)) to identify the generated PUID that maps the stored mailbox identifiers for each of the plurality of mailboxes with subscriber profile information (column 5, lines 33-44, additionally information in the user profile that uniquely identifies one user profile form another is essential (such information reading on the PUID, see above), and matching between the mailbox and such information occurs so as to both store the message and notify the user, as in column 54-61).
10. The applicant further argues with respect to independent claims 22 and 26 that Porter fails to disclose accessing the subscriber profile information based on the identified generated PUID.
11. The examiner disagrees. Porter discloses accessing the subscriber profile information based on the identified generated PUID (column 5, lines 33-44, an incoming matches to a mailbox; the mailbox matches to a subscriber profile (by way of a PUID (the PUID being essential, so as to differentiate one user from another))).

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12. The applicant further argues with regard to the rejection of independent claims 22 and 26 that the Phoneworks reference does not teach the claimed functionality of the PUID.

13. The examiner notes one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references and directs the applicant to the Porter reference and the arguments presented above. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Further in regards to the combination of Porter and Phoneworks, the examiner directs the applicant to the below rejections of the claims to illustrate how one of ordinary skill in the art would have viewed the applicant's claimed invention as obvious.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 22 and 24-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter et al (US Pat 6,181,781 B1), hereafter "Porter," in view of "Ring Central Products: PhoneWorks 2002" (Dated: September 30, 2002, accessed via [www.archive.org](http://web.archive.org/web/20020603180111/ringcentral.com/products/pw2002.asp) at: <<http://web.archive.org/web/20020603180111/ringcentral.com/products/pw2002.asp>>), hereafter "Phoneworks."

16. As to claim 22, Porter discloses a computer-implemented method for notifying a subscriber about an event, the method comprising:

receiving, on a notification server, mailbox registration information for a plurality of mailboxes (column 5, lines 32-44, a user registers their mailbox with the DirectTalkMail voice messaging system); and;

receiving, on a notification server, subscriber profile information, wherein the subscriber profile information at least one delivery channel (column 5, lines 32-38, a user profile (subscriber profile information) identifies a user and their mailbox and further column 5, lines 48-54 discloses that in the user profile is stored information related to how a user will be notified of voicemail messages, i.e. a delivery channel);

storing, on a notification server, mailbox registration information and subscriber profile information (column 5, lines 33-38; a user has registers a mailbox with associated information (mailbox registration information) and each user has a user profile with additional information (subscriber profile

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information)), wherein the mailbox registration information includes a mailbox identifier for each of a plurality of mailboxes (column 5, lines 42-44, each mailbox has a unique identifier (mailbox identifier)) , *wherein a personal unique identifier (PUID) is generated on the notification server to map a stored mailbox identifier for each of the plurality of mailboxes with subscriber profile information* (column 5, lines 35-44, information in the user profile that uniquely identifies one user profile from another is essential, i.e. the extension number of that user or their password). Further as in column 5, lines 54-56 an email address may be a PUID, as it will be present in the user profile (subscriber profile information), will uniquely identify a user, and is mapped to a mailbox identifier);

receiving, on the notification server, a message event having a mailbox identifier (column 5, lines 32-44, incoming voicemail message (event) will be associated with a mailbox number (mailbox identifier));

matching on the notification server a received mailbox identifier to one the stored mailbox identifiers of the mailbox registration information (column 5, lines 33-44, an incoming voice mail message inherently has a received mail box identifier that matches a mailbox identifier(i.e. that is how it is known what mailbox to store it in)) to identify the generated PUID that maps the stored mailbox identifiers for each of the plurality of mailboxes with subscriber profile information (column 5, lines 33-44, additionally information in the user profile that uniquely identifies one user profile from another is essential (such information reading on the PUID, see above), and matching between the mailbox and such



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information occurs so as to both store the message and notify the user, as in column 54-61);

accessing the subscriber profile information based on the identified generated PUID (column 5, lines 33-44, an incoming matches to a mailbox; the mailbox matches to a subscriber profile (by way of a PUID (the PUID being essential, so as to differentiate one user from another)));

identifying the at least one delivery channel of the subscriber profile information (column 5, lines 48-54);

generating an alert on the notification server that identifies the messaging event (column 5, lines 48-54, email (alert) is generated and sent to user); and

sending the alert via the at least one communication channel indicated in the subscriber profile information that is identified by the generated PUID (column 5, lines 48-54, email (alert) is generated and sent to user).

But, Porter does not disclose at least one of the plurality of mailboxes is associated with a different messaging switch than the other of the plurality of mailboxes and a PUID maps stored mailbox identifiers for each of the plurality of mailboxes to subscriber profile information. Rather, Porter's invention only explicitly relates to notification with one voice mail switch and never explicitly discloses that a single user (and therefore single profile) may have multiple mailboxes associated with it.

However, PhoneWorks discloses a system for notifying a subscriber about an event including a notification server coupled to a plurality of voice mail switches (page 2, lines 35-40, "Notification and Forwarding..." and page 2, line 17 ("Complete voice mail system supports an unlimited number of voice mailboxes") discloses the use of multiple voice mail boxes) and further mapping a person unique identifier that identifies a subscriber registered with the notification server to a plurality of identifiers, wherein at least one of the plurality of identifiers is associated with a different voice mail switch than the other of the plurality of identifiers (page 1, lines 17-23, "Microsoft Outlook and Outlook Express synchronization...", and page 2, line 17, "Complete voice mail system supports an unlimited number of voice mailboxes," as the system integrates with Microsoft outlook, the user ID associated with Outlook reads on a PUID, and identifiers associated with voice mailboxes (e.g., the mail box numbers) are synchronized with the user ID that is associated Outlook).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Phoneworks in order to allow notification from more than one voicemail accounts thereby eliminating the need for individual subscriber profiles for each voice mail account.

17. As to claims 26 and 34, they are rejected by a similar rationale to that of claim 22's rejection.

18. As to claim 24, Porter and Phoneworks disclose:

receiving, on the notification server, a plurality of message events association with a plurality of received mailbox identifiers, wherein each of the plurality of mailbox identifiers identifies at least one of the plurality of mailboxes associated with the mailbox registration information (Porter, column 5, lines 33-44);

matching, on the notification server, the received mailbox identifiers to the mailbox registration information to identify the generated PUID associated with the mailbox registration information (Porter, column 5, lines 33-44);

accessing the subscriber profile information associated with the generated PUID to identify a delivery channel associated with the subscriber profile (Porter, column 5, lines 47-54);

generating a plurality of alerts on the notification server wherein each of the plurality of alerts identifies one of the plurality of message events (Porter, column 5, lines 47-59); and

sending the plurality of alerts via the delivery channel indicated in the subscriber profile that is identified by the generated PUID (Porter, column 5, lines 47-59).

19. As to claim 25, Porter and Phoneworks disclose the notification server bridges a web server interface and the at least one of the plurality of mailboxes, wherein the notification server does not have access to subscriber information and a

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telephone carrier associated with a messaging switch does not have access to the generated PUID (column 5, lines 33-44).

20. As to claims 27 and 35, Porter and Phoneworks disclose the invention substantially with regard to the parent claims, and further disclose where the alert (Porter, Fig. 5, label 580) includes an event reference (Porter, Fig. 5, label 588) that links the subscriber to the event such that the subscriber can retrieve the event through a web portal view associated with a URL (Porter, column 12, lines 61-67 and column 13, lines 1-7).

21. As to claims 28 and 36, Porter and Phoneworks disclose the invention substantially with regard to the parent claims, and further disclose a web service interface (Porter, Fig. 3, label 330) that is configured to allow the subscriber to register to receive the alert (Porter, column 5, lines 48-61).

22. As to claim 29, Porter and Phoneworks disclose the invention substantially with regard to the parent claim, and further disclose a web service interface (Porter, Fig. 3, label 330) that is further configured to allow the subscriber to designate at least one destination where the alert is sent (Porter, column 5, lines 48-61).

23. As to claim 30 and 37, Porter and Phoneworks disclose the invention substantially with regard to the parent claims, and further disclose where the

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notification server is further configured to log the event after the alert is generated (Porter, column 2, lines 33-36, Porter's act of storing the incoming message is logging the event).

24. As to claim 31, Porter and Phoneworks disclose the invention substantially with regard to the parent claim, and further disclose where the identifier is a telephone number associated with the event (Porter, column 2, lines 33-36, it is well in the art that an event, a telephone call in Porter's voice mail system (or any voice mail system), will have a telephone number to identify it).

25. As to claim 32, Porter and Phoneworks disclose the invention substantially with regard to the parent claim, and further disclose where the event is at least one of: a voice mail message, a stock price, a sports score, a product delivery message, a fax, or telephone billing information (Porter, column 1, lines 9-12 and column 2, lines 33-36, Porter's event is the "messages from incoming calls").

26. As to claim 33, Porter and Phoneworks disclose the invention substantially with regard to the parent claim, and further disclose where the voicemail switch comprises a data store (Porter, Fig 3, label 390) for storing the events (Porter, column 5, lines 32-39, events are the "messages from incoming calls" and are stored as "digitised stored messages").

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27. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Porter in view of Phoneworks, as applied to claim 22 above, in further view of what was well known and expected at the time of the invention.

28. As to claim 23, Porter and Phoneworks disclose the invention substantially with regard to the parent claim 22, but do not explicitly disclose the received mailbox identifier is matched to a second stored PUID that maps the second mailbox identifier with second subscriber profile information, wherein a second alert is sent via at least one communication channel indicated in the second subscriber profile information that is indicated by the second generated PUID.

However, Official Notice is taken (see MPEP 2144.03) that allowing two user profiles to be associated with one mailbox would have been an obvious modification to one of ordinary skill in the art at the time of the invention, given Porter and Phonework's explicit teachings, and would have allowed persons who share a common mailbox the ability to be notified when a voicemail is present in it. Simply allowing a second user access to a voice mailbox and any notifications indicating a voicemail is present in said voice mailbox would have been obvious to one of ordinary skill in the art as a person with ordinary skill has good reason to pursue the known options within his or her technical grasp (i.e. associated more than one user profile with the same mailbox) and when this leads to

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anticipated success, it is likely the product not of innovation but of ordinary skill and common sense.

### ***Conclusion***

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.
30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
31. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. J. D./  
Examiner, Art Unit 2452

/Kenny S Lin/  
Primary Examiner, Art Unit 2452